OLD SOLDIERS EXCEPTED.

THE CONVENTION ADOPTS THE CIVIL SERVICE AMENDMENT.

Mr. Countryman Protented Against Making Soldlers a Privileged Class, and Mr. Benn Said that as a Young Republican He Had Been Making Sacrifices All His Life to Gratify the Ambitton of the Old Moldlers to Mold Offer-The Anti-Pool Amendment Advanced to a Third Rending,

ALBANY, Sept. 21. When the Constitutional Convention met this morning Mr. I. S. Johnson moved to take from the table the motion made by Mr. McMillan to reconsider the vote by which the anti-bribery amendment was laid on the table after passing the Committee of the Whole.

Mr. Cook in ham called un the resolution offered by him providing that the counsel fees of the Buffalo Republicans, Charles W. Putnam and Thomas Sullivan, against Herman F. Trapper and Charles Beck with, amounting to \$2,313.79, se paid. Mr. Cookinham's motion was lost.

The Convention then passed to the order of third reading of amendments, taking up the amendment offered by Mr. C. H. Truax, pro-viding that the new Constitution shall go into effect on Jan. 1, 1895. Mr. Veeder moved to insert the words "if adopted." This was lost, and the amendment was adopted, 106 to 4. The amendment as passed reads as follows:

Article XIV. of the Constitution is hereby amended by striking out all of said article except the thirteenth

section, and by amending that section so that the ar-ticle shall read as follows:

Article XIV.—This Constitution shall be in force from and including the first day of January, one thousand eight hundred and ninety-five, except as

The next amendment taken up was that offered by Mr. H. A. Clark, providing for civil

Mr. Countryman moved to strike out the clause exempting Union soldiers and sailors from competitive examinations. He said that it ras not in accordance with the doctrines of Jefferson and Montesquieu to establish a privileged old soldiers, but did not approve of making them

Mr. Peck offered an amendment so as to con-

Mr. Jesse Johnson said that the Constitution was no place for the civil service amendment, which was a purely legislative question.

Mr. Dean said he was opposed to all kinds of he had been making sacrifices all his life to gratify the inordinate ambition of the old soldiers to hold office. He did not think that the for his country if necessary, was a beggar,

civil service to the whole State, and by Mr. be citizens, were adopted. The amendment was then put on its final passage, and a large number of delegates explained their votes. It looked

reads as follows:

Article VI, of the Constitution is hereby amended by adding a new section to read as follows:

Appointments and promotions in the civil service of the State and of all civil divisions of the State and of all civil divisions of the State and of all civil divisions of the State and of the cities and villages shall be made according to merit and fitness, to be ascertained so far as practicable by examinations which, so far as practicable by examinations which, so far as practicable examples of the state of the cities and the state of the cities and the second of the cities and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents of the late civil war, who are citizens and residents are civil war, who are citizens and residents of the late civil war, who are citizens and residents are civil war.

may be made.

The Democrats voting against the amendment were Messrs. Chipp, Countryman, Danforth, Durnin, Emmett, Farrell, McCurdy, Maybe, Peck, Sandford, Pillsbury, Towns, and Tucker. The number of Republicans voting for it was 58. The next amendment taken up on third reading was Mr. Parker's, giving the right to drain agricultural lands across the lands of others. The discussion was interrupted by the recess until 3 P. M.

At the afternoon session the amendment re-ating to the drainage of agricultural lands was assed. It reads as follows:

passed. It reads as follows:
Section 7 of Article I. of the Constitution is hereby amended so as to read as follows:
SECTION 7. When private property shall be taken for any public use the compensation to be made therefor, when such compensation is not made by the state, shall be ascertained by a jury or by not less than three commissioners appointed by a court of record, as shall be prescribed by law. Frivate roads may be opened in the manner prescribed by law; but in every case the necessity of the road and the amount of all damage to be sustained by the opening thereof shall be determined by a jury of freeholders, and such amount, together with the expenses of the proceeding, shall be paid by the person to be benefited.

General laws may be passed permitting the owners or occupants of agricultural lands to construct and maintain for the drainage thereof necessary drains and ditches and dikes on the lands of others under proper restrictions and with just compensation, but to special laws shall be enacted for such purpose.

no special laws shall be enserted for such purpose.

Mr. C. B. McLaughlin moved to substitute for the resolution regulating the order of business a resolution that the Convention dispose of all the amendments on third reading, and the antigambling and militus amendments; that no other amendments be considered; that the rule allowing members to explain their votes be abolished; that no amendment take more than thirty minutes; that all the amendments be disposed of by Sept. 22, and that the Convention adjourn sine die thereafter as soon as the amended Constitution can be engrossed and prepared for submission to the people. The resolution was adopted.

The Convention then went into Committee of the Whole on the anti-pool-selling amendment.

the Whole on the anti-pool-selling amendment.

Mr. Dean said that everybody gambled, at
church fairs and elsewhere, taking chances. It
was folly to pass an amendment to prohibit
cambling.

was folly to pass an amendment to promiting ambiling.

After further discussion the amendment was advanced to third reading as follows:

Section 19 of Article I is hereby amended by striking out all of said section after the word lotter, and inserting the following. "or the sale of lottery tickets, pool selling, bookmaking, or any other kind of gambiling hereafter be authorized or allowed within this state, and the Legislature shall pass appropriate laws to prevent offences against any of the provisions of this section."

this section."

The militia article was then taken up in Committee of the Whole. Mr. Hedges and Mr. Cochran explained its provisions. It makes recognition of the naval battalions, provides that the militia shail never fall below 10,000 that all persons between eighteen and forty-five shall be subject to militia duty, and that the Legislature shail make appropriation for the maintenance of the militia.

Mr. McDonough offered an amendment exempting from service all persons who have religious scruples. This was lost, and the amendment advanced to third reading. Recess to 8 P. M.

As soon as the Convention met to night Device.

8 P. M.
As soon as the Convention met to-night President Choate moved that the rule providing that final passage of an amendment must take place one day subsequent to the time when it was ordered to third reading be suspended. He did this in the hope that the amendments ordered to third reading to-day might be disposed of. Carried.

Carried.

The article providing for future amendments was read for the third time and passed. After it had been passed a typographical error was found in it by President Choate, and the vote had to be reconsidered, the error corrected, and the article passed again—103 to 13. The article as passed is the same as the present article in the State Constitution, except sections two and three, which read as follows:

as passed is the same as the present article in the State Constitution, except sections two and three, which read as follows:

Sacrics 2. At the general election to be held in the year 1915, and every (wentioth year thereafter, and also at such times as the Legislature may by law provide, the question. "Shall there be a Convention to revise the Constitution and amend the same?" shall be decided by the electors of the State; and in case a majority of the electors voting thereon shall decide in favor of a Convention for such purpose, the electors of every behalf olistrics of the State; and in case a majority of the electors voting thereon shall decide in favor of a Convention for such purpose, the electors of every behalf olistrics of the State at sutting external and long there is the cast the next entiting general and chosen and the elections of the State voting at the same election shall elect fifteen delegates at large.

The delegates so elected shall convene at the Capitol on the first Typeshay of April as xt enabing after their election, and shall continue their season until the bininess of such Convention shall have been completed. Every delegate shall receive for his services the same compensation and the same mileage as shall hen be annually payable to the mambers of the Assembly. A majority of the Convention shall have been considered to the Constitution shall be submitted for approval to the electors as hereinafter provided, unless by the assent of a majority of all the delegates secreted to the courtal loss of a support and on the surpail when the surpail and proceedings, choose its own proceedings, choose its own proceedings, choose its own officers, and be the judge of the election returns, and qualifications of the members. In case of a vacancy by death, resignation, or ethor cause, of any district delegate, such vacancy and to fix delegates at here is a surpained as the surpail and proved for the printing of its documents, journal, and proceedings of the election returns and qualifications of its

election held in the year one thousand eight hundred and ninety-four, or at any subsequent election, shall, if approved, he deeped to supersede the amendment so proposed by the Legislature.

so proposed by the Legislature.

Mr. Marshall's amendment providing that bank atockholders shall be liable to the amount of their stock was passed by a vote of 88 to 32. The amondment as passed reads as follows:
Section 7 of Article VIII. of the Constitution is hereby amended so as to read as follows:
Sax. 7. The stockholders of every corporation and joint stock association for banking purposes shall be individually responsible to the amount of their respective share or shares of stock in any such corporation or association for all its debts and liabilities of every Rin.

their or association for all its detts and labilities of every kind.

The anti-gambling amendment was taken up for third reading.

President Choate moved to strike out the words "or any other form of gambling." To leave this in the amendment, he said, would be rillenious, because it would make criminals of everybody who sat down to a game of cards at his home or his ciub.

Mr. Nicoli wanted to know if the Convention, after condemning gambling by an almost unanimous vote, was going to turn around and follow the President like sheep, because he wanted to emasculate the amendment. If the words "any other kind of gambling" were taken out no amendment at all ought to be adopted. "Shall we say that we are opposed to pool selling and in favor of stock gambling and other forms?"

Mr. Root—Did I understand the gentleman to say that he is opposed to all forms of gambling? [Laughter.]

say that he is opposed to all forms of gambling? [Laughter.]
Mr. Nicoli—I am; if for no other reason, on grounds of personal profit. [Laughter.] Of course we are all gentlemen together, and we have our little games together. But that is not the question here. This if a serious matter, which should be condemned in the organic law. Mr. Abbott said that he opposed the amendment because he thought its passage would create a large campaign fund against it and might defeat the Constitution. The amendment would not stop gambling. It might loss 50,000 votes to the Constitution.

After further discussion Mr. Choate's amendment was passed by a vote of 109 to 4. As passed the amendment reads as follows:
Section 10 of article 1 of the Constitution is hereby

smendment reads as follows:

Section 10 of article 1 of the Constitution is hereby amended so as to read as follows:

Sgr. 10. No law shall be passed abridging the right of the people spaceably to assemble and to petition he Government, or any department thereof; nor shall my divorce be granted otherwise than by due judical proceedings: nor shall any lottery or the sale of stery tickets, pool selling, bookmaking, or any other into of gamining hereafter be authorised or allowed dibin this State, and the Legislature shall now appropriate laws to prevent offences against any of the tovisions of this section.

The Militia article was then taken up and passed without discussion by a vote of 101 to 3. The article as passed reads as follows:

passed without discussion by a vote of 101 to 3. The article as passed reads as follows:

Article XI, of the Constitution is hereby amended by striking out all of this article and inserting in lieu thereof the following.

SECTION 1. All able bodied male citizens between the signs of 18 and 45 years, who are residents of the State, shall constitute the militia, subject, however, to such exemptions as are now, or may be hereafter, remeted by the property of the control of the control

more.

Adjourned until 10 A. M. to-morrow.

The Convention has now passed every amendment on the order of the third reading, and to-morrow will adjourn over until next Thursday or Friday, by which time the Constitution will be engrossed as amended and ready for the signatures of the delegates.

At to-morrow's session Jesse Johnson will endeavor to have the vote by which the home rule article was passed reconsidered, so that an amendment regarding the removal and appointment of heads of police departments of cities may be considered.

The Alleged Bribery of Brooklyn Repub-lienn Belegates.

ALBANY, Sept. 21.-The proceedings in the Police Court here to-day against the five Brooklyn Constitutional Convention delegates for bribery culminated in the formal application for war managing editor of the Albany Argus. The was continued at 11 A.M., documentary evidence being first entered in support of the case dence being first entered in support of the case already presented. District Attorney Eaton was present and gave an opinion that the case presented, so far as he had, informed himself, warranted the issue of orders of arrest. If, however, the Justice decided otherwise and the matter came to him, he said he would read the evidence over carefully and lay it before the Grand Jury, Justice Adler said that he would give his decision to-morrow. The application for warrants is directed against Charles J. Kurth and William Deterling, the intention being to make a test case before proceeding with the prosecution of the whole five delegates.

Republican Caucus,

ALBANY, Sept. 21.-The Republican delegates to the Constitutional Convention caucused again this morning, but, reaching no agreement, adjourned until 1 P. M. At the afternoon caucus it was decided to drop the consideration of all the amendments in Committee of the Whole, except the antigambling and militia amendments. The senti-ment of the caucuses was to stop all work to-morrow and then adjourn until the latter part of next week, to allow time for the engrossment of the amendments passed. The leaders think the Convention should complete about all of its work to-morrow, and sit for one day the latter part of next week.

OLLIE TEALL'S POLITICAL CLUB. Up-town Republicans Who Didn't Attend

No such Republican meeting was ever held before in the Second Assembly district as greet-ed Oliver Sumner Teall's contingent at 1 Chambers street last night.

James R. O'Neil Vice-President of the club, opened the meeting. He was followed by Jo-seph Levison, a delegate to the Saratoga Conopened the meeting. He was followed by Joseph Levison, a delegate to the Saratoga Convention, and Thomas Ronan, a laboring man. Alfred Conkling propounded the election laws, and was liatened to with close attention.

There was great enthusiasm when Mr. Teall smilingly approached the speaker's table, and it was plain that he is a favorite in his newly adopted district. He said:

"My experience in getting up this meeting is a good illustration of the Republican party in New York city. We expected a lot of Republicans from up town, and only a few have come. We expected only a few from down town and our room is crowded with them. The up-town men do an awful lot of talking and little work, while the down-town men do very little talking and lots of work.

"It is the Tenderloin and the Sirloin, and I am going to stay right here with you day after day, to show our appreciation of the gentlemen who promised so faithfully to come down here to-night, and have not shown up. I now move, Mr. Chairman, that they be fined \$50 each, and that the Chairman of the Finance Committee be instructed to collect the fines.

Everybody in the room seconded the motion, and it was carried with enthusiasm.

Mr. Teall said that Fred Gibbs was confined to his house, and could not come, but as a substitute he introduced the ex-Senator's brother, Dr. J. W. Gibbs. Ir. Gibbs explained that he was not wicked, like his brother, but assured his auditors that the up-town Republicans would do everything to assist them.

Mr. A. H. Steele of the Republican Club and Mr. Charles H. Treat talked about the tariff.

Ex-Speaker Reed Too Ill to Speak at the Ogdensburg Fair.

OGDENSHURG, Sepf. 21.-Senator Higgins of Delaware delivered a speech at the county fair here to-day on the subject of our relations with Canada. Owing to illness ex-Speaker Reed did Cabada. Owing to inless ex-speaker need use not speak at the fair. Mr. Reed's illness is not serious, but was of such a nature as to prevent him from riding twenty miles across St. Lawrence county roads to reach Ogdensburg this morning. Mr. Reed intended to go to Montreal to-day, but on account of his indisposition postponed his trip for a brief time.

COLUMBUS, O., Sept. 21.-Gov. McKinley is confined to his room by illness and may be unable to fill the engagement to make political speeches in Indiana, Illinois, and this State next week. A rearrangement of the dates of these meetings will probably be made.

Instructed for Frederick Cook. ROCHESTER, Sept. 21.—The Democratic Sec. nd Assembly District Convention to-night chose as delegates to the State Convention W. H. Tracy, James M. Nolan, and E. C. Sheridan. A resolution was adopted instructing the dele-gates for Frederick Cook for the Gubernatorial homilastics.

Hood's Is the Best CIVIL SERVICE LEAKAGES.

CALL OFF M'LAUGHLIN.

and Says the Police Examination Pa-pers Are Not Sufficiently Guarded and Pass Through Many Different Hands.

Superintendent Byrnes made his report to the Police Board yesterday on the alleged frauds in the civil service examinations of three candidates for appointment on the police force. The investigation followed on a complaint made to Mayor Gilroy by Daniel P. Hays and Lemuel Skidmore, Chairman and Commissioner of the New York City Civil Service Supervisory Board. Mr. Byrnes says that he got the examination papers of the three men, and found no evidence of fraud in the cases of John Dolan and James Crowley. All these papers are in their own handwriting, and are on the paper furnished to candidates at the examination. That the papers on rules and regulations of the Police Department are more correct than the others he thinks may be accounted for by the fact that candidates are supplied in advance with copies of the rules to study, while they know nothing in advance of the scope of the examination on other subjects. Of the third case Mr. Byrnes says: "I am convinced that there was an attempt at

fraud in the papers of William Thompson. Mr. Phillips informed me that the examination on rules and regulations is not written upon the kind of paper furnished to the candidates by the Civil Service Board; and I find this examination is in an entirely different handwriting from that of the other papers of this candidate's examination. When I showed this paper to Thompson he said he did not write it, never saw it before, and had no idea as to how it came to be passed off as his work and put in among his other examination papers. There is some reason. however, to doubt the truth of Thompson's state ment in this regard; for the paper in question did see it before he saw it in this office, and that he himself inserted some letters that were omitted from words here and there by the writer of the paper, and that he traced over other letters that were originally written so as to be scarcely legible. The fact that the paper which was rated as Thompson's paper on rules was written in handwriting different from the rest of his papers could not possibly be discovered by the Police and Fire Department expert examiners, because they had no other examina-tion papers of the candidate before them with which to make any comparison. When, however, these papers were returned to the civil service rooms and compared with the candidate's other papers the fraud was readily de-

tected.

Mr. Byrnes says that a candidate may, possibly, obtain a knowledge beforehand of the questions from various sources. He says:

"When the Inspector of Police, who is the expert examiner for this department, receives notice from Mr. Phillips that a date has been set for an examination, he prepares the questions on rules and regulations and on city information. These questions when prepared are sent to Mr. Phillips, who makes a requisition on the Board of City Record for the printing of such a number of copies of them as may be required for the examination, transmitting with this requisition a copy of the questions. From the office of the Hoard of City Record, these questions, together with an order to print the required number of copies, are sent to the public printer (Martin B. Brown), where they pass from the hands of whoever receives them to the various persons in that establishment who take part in the work of completing the printed copies. When these copies are completed they are sent to the office of the Board of City Record, and thence to Mr. Phillips, who retains possession of them until they are distributed to the candidates at the examination.

"After the examination is over the papers of the candidates are all taken to the office of the Civil Service Board by an attaché thereof, where the papers on rules and regulations are sorted out by the clerks of the civil service office, tied up in a bundle, and sent to the examination. It will be seen from the above that from the rooms of the Civil Service Board and are, by the clerks of the civil service office, tied up in a bundle, and sent to the examination. It will be seen from the above that from the time the questions for the examination. It will be seen from the above that from the time the questions for the examination there are a number of sources through which it is possible for candidates to obtain before the examination knowledge of the questions; and also that there are several quarters in which it is possible to abstract or substitute exa Mr. Byrnes says that a candidate may, possi-

possible to abstract or substitute examination papers.

"The last examination of candidates for appointment on the police force took place in one of the large lecture halls of the College of the City of New York on April 7, and there were nearly six hundred candidates examined. Inspector McLaughlin, who is the expert examiner for this department, informs me that four or five days elapsed after the examination before the papers on rules and regulations were sent to him. He states positively that no abstraction or substitution of papers was made while the papers on rules and regulations were in his charge; that from the time he received the papers up to the time he received them to the office of the Civil Service Board they were in his custody, under lock and key, and no from the time he received the papers up to the time he returned them to the office of the Civil Service Board they were in his custody, under lock and key, and no one had access to them but himself. With regard to the four papers that were rated at Police Headquarters, and were said to be missing from the parcel that was returned to the rooms of the Civil Service Board. Inspector McLaughlin states that he sent to the Civil Service rooms all the papers that were sent to him; that he has no reason whatever to believe that the four papers in question were not among the papers returned by him, and that if they were lost or abstracted the loss or abstraction of these papers occurred while they were out of his custody.

"With the exception of the case of William Thompson my investigation does not show any direct evidence that there was any abstraction or substitution of papers; and while it shows that the paper on rules that was rated as the paper of William Thompson was substituted, it discloses nothing to show where or by whom that substitution was made. If each sheet of paper furnished to candidates was stamped or mark could not be readily obliterated or counterfeited, and the stamp or device for marking these sheets was carefully guarded by the Secretary of the Civil Service Board, and not allowed to pass out of his possession, the abstraction and substitution of examination papers would be rendered practically impossible."

When the report had been read Commissioner Sheehan remarked that the thought the Chief of the Detective Bureau should no longer represent the Police Department on the Civil Service Examining Board, and that the present system of examining candidates should be changed.

"There are rumors in and outside of the department," said Mr. Sheehan, " of the way these examiner be researched, and that the representative in the Civil Service Board it should be represented by the entire staff of inspectors."

President Martin and Mr. Marray contended that the Board of Police has any representative in the C

and that the appointment was made by the Mayor.

Commissioner Sheehan said he was positive that the Board had recommended the appointment of Superintendent Byrnes when he was Inspector, and he further recommended that hereafter no person attached to the Police Department should represent the Police Department in the Civil Service Examining Board.

President Martin said he was not prepared to vote on Mr. Sheehan's recommendation at the time.

President Martin said he was not prepared to vote on Mr. Sheehan's recommendation at the time.

"We have no right to volunteer advice to the Mayor, who has absolute control in this matter," said Commissioner Martin; "the Mayor may decide to act in this matter."

Mr. Sheehan withdrew his last motion, and the Chief Clerk was directed to look up the Board minutes and report whether the Commissioners, had recommended Inspector Byrnes's appointment on the Civil Service Examining Board. A copy of the Superintendent's report was sent to the Mayor.

Julius and Edward Mandel, who are charged by their brother-in-law, Julius Simon, with impersonating him at a civil service examination for letter carrier, have not been arrested and are not likely to be. The question to be decided seems to be whether impersonating a candidate at a civil service examination is under the Federal laws a criminal offence. Fostmaster Dayton's secretary said yesterday that upon investigation it appeared to him that the Federal law did not provide against such an infringement of the civil service laws.

Louis Simon was formerly a letter carrier at Station A. He was discharged for incompetency, and it afterward transpired that some one had impersonated him at the civil service examination on which he had been appointed. He is a brother-in-law of the Mandels, who are teachers in the public schools, and blaming them for his dismissal he made two affidavits accusing them of personating him at the civil service resonating them of personating him at the civil service resonating them of personating him at the civil service examination the public schools, and blaming them for his dismissal he made two affidavits accusing them of personating him at the civil service and the mandels we affidavits accusing them for his dismissal he made two affidavits accusing them for his

PARKHURST MAY CRITICISE. No Objection to That Even if Byruce

Police Superintendent Byrnes was asked yes terday what he had to say in reply to the attack made on him by Dr. Parkhurst at the meeting in the Eighteenth Street Mothodist Church. On Thursday night Mr. Byrnes said:
"Thave reed in the newspapers the statements of the Rev. Dr. Parkhurst and the criticisms.

Fall Medicine, because it purifies, vitalizes, and enriches the blood, and therefore gives strength to resist bad effects from Colds, Catarrh, Rheumatism, Pneumonia, Malaria, the Grip, etc. Take it now and avoid the danger of serious illness. It may save you many dollars in doctors' bills. Be sure to

get HOOD'S and only HOOD'S. Hood's Sarsa-1

"I can truly recommend Hood's Sarsa parilla as an excellent medicine. I have taken four bottles and I am better than I have been for two years past. I was all run down, my limbs swelled, and my blood was in a very bad condition. Now I am free from neuralgia and better in every way."— MRS. H. COBLEIGH, Hume, N. Y.

Dr. Parkhurst has a perfect right—the same as any other citizen has—to criticise my public acts. That is all I have to say." One of the things Dr. Parkhurst said was that it wasn't Superintendent llyrnes's business to philosophize about the social evil.

WRITS FOR THE POLICE BOARD.

Writs of certiorari in the cases of Police Captain John T. Stephenson, Sergeants Charles A. Parkerson and J. N. Jordan, and Ward Man James Burns, all of whom were dismissed from the force, were served on the Police Board yesterday. They were referred to the Corporation

The Board was served with an order issued by Judge Pryor of the Court of Common Pleas to show cause why it should not retire from service on half pay Patrolman Henry McArdle, now of the East Eighty-eighth street station McArdle was formerly a detective at the

Grand Central Depot. He was accused before the Lexow committee of being in league with green goods men. The Police Commissioners remanded him to patrol duty, and he asked to be retired, having served twenty years on the force. His application was denied:

It is said that the Board will be compelled to retire every member of the force who has served over twenty years and who applies for retirement where no charges are pending before the Hoard.

ment where no charges are pending before the Hoard.

Detective Sergeant Samuel G. Sheldon and Patrolman Dennis McMahon of the East 104th street station applied for retirement on half pay, but their applications were denied.

Superintendent Byrnes made a report on the circumstances attending the arrest of William Mayston, the peddler, who was a witness before the Lexow committee. Mayston was arrested on Sept. 11 by Policeman Charles H. Webb of the Oak street squad for violating the corporation ordinance by blocking up the sidewalk in Nassau street. Mayston said he was being persecuted by the police. The Superintendent reported that Policeman Webb carried out the instructions of his Captain, and did nothing more than his duty. Mayston was fined in a police court.

Patrolman Frederick Eagan of the Oak street squad was fined ten days' pay for failing to pay a debt contracted in the purchase of a pair of diamond carrings.

Capt. Price Out of Town.

Lawyer Louis J. Grant visited District At-Lawyer Louis J. Grant visited District At-torney Fellows yesterday to apologize for the absence of Police Capt. Price, who was to have met Col. Fellows by arrangement yesterday. Mr. Grant said that Capt. Price had been called out of town unexpectedly. Price wants green goods man Applegate, who testified before the Lexow committee, indicted for perjury.

O'ROURKE'S SUCCESSOR.

WASHINGTON, Sept. 21.-Don M. Dickinson has a candidate for Supervising Architect of the Treasury. Mr. Dickinson called at the Treasury Department to-day and recommended the appointment of E. E. Myers of Detroit, who is represented by Mr. Dickinson to be just the very man needed to reorganize the architect's office in accordance with the plans and specifi cations that Secretary Carlisle has drawn up. Mr. Dickinson was somewhat disappoints

Mr. Dickinson was somewhat disappointed when he learned that Secretary Carlisle also has a candidate for the same office, Henry Wolters of Louisville, who is said to be the probable successor of Mr. O'Rourke.

Mesars. Myers and Wolters are not the only applicants for the appointment, for the records of the appointment division show that, although Mr. O'Rourke's resignation was only accepted yesterday, there are many aspirants for the office. Here is the official list: E. M. Wheelwright of Boston, C. J. F. Kraft and J. J. Kowhn of Chicago, D. B. Woodruff and Alexander Bliss of Macon, (i.s.; Josiah S. Brown of Denver, and Henry Gorsuch of Washington city.

It is understood that the Secretary does not propose to make the appointment for some time

city.

It is understood that the Secretary does not city.

It is understood that the Secretary does not propose to make the appointment for some time to come, probably from four to six weeks, and when he does make the appointment the new architect whi go into a thoroughly reorganized office, with the scientific and technical branches of the work segregated from the purely administrative branches. This will be a departure long contemplated by Secretary Carlisle, as the principal source of trouble in the architect's office during the former and the present Administrations has been the clash between the scientific and non-scientific branches of the office. The architect's duties in the future will be confined as much as possible to the purely scientific and technical branches of the work, such as engineering, dratting, construction and repair work, while the administrative branches of the office, such as the awarding of contracts, the accounts, divisions, and the clerical work, will be under the supervision of the Secretary of the Treasury.

Mr. O'Rourke is preparing a statement for the public, giving his version of the friction which led to his resignation. He blames Logan Carlisle for the whole trouble. He says he had the Secretary's promise, when he accepted the post of Government Architect, to give him full control of the office, as a workman could be expected to do good work only with his own tools. He soon found, however, he declared, that the selection of his own subordinates, and that he selection for his own subordinates, and that he was on this account unable to maintain an efficient force. His continuance in the office under such circumstances had simply become impossible. He said he would publish his letter of resignation and all the facts in the case for his own vindication. He will leave Washington for his New Jersey home to-morrow afternoon.

Gov. Flower at Oswego's Fair.

Oswgoo, Sept. 21.—Gov. Flower was greeted by 18,000 people at Oswego's big county fair here to-day. He was entertained at the resi-dence of Mr. Theodore Irwin, and was there dence of Mr. Theodore Irwin, and was there called upon by many leading citizens, including the Hon. George H. Sloan and Col. John T. Mott. At noon the Governor visited the Oswego State Normal and Training School and was enthusiastically welcomed by the young women students, who were gathered in the large assembly hall to greet him. After the applause had subsided the Governor made a short speech, in which he said many pleasant things. This evening the Governor leaves for Watertown.

Boston, Sept. 21.-There will be a meeting at the State headquarters to-morrow afternoon of the Democratic Committee of the Seventh Congress district for consultation as to party nominations. There is considerable opposition to the renomination of Dr. Everett, and aircasty several names have been mentioned for the nomination. To-day it was said that it was not impossible that ex-tiov. William E. Russell might be willing to accept the candidacy.

Steuben County Republican Nomination BATH, N. Y., Sept. 21.-The Steuben County Republican Convention at Addison to-day nom nated Leslie D. Whiting of Jasper for Sheriff, G. T. Cooline of Pratisburg for County Treasurer, M. R. Miller of Bath for Surrogate, Dr. O. W. Sutton of Bath and Dr. A. A. Aldrich of Addison for Coroners, and D. C. Barney of West Union for Justice of Sessions.

The Beadlocked Congress Convention NORTHVILLE, N. Y., Sept. 21.-After a dead ock continuing four days, and the taking of 150 ballots without any change of vote for the three candidates—Curtis 15, French 9, and Baker 6-the Twenty-second Congress district Republicar Convention adjourned to-day to meet in Sara-toga on Tuesday, Oct. 2.

Named for the Assembly. - Nominated for Congress.

Fourth New Jersey District-Hahlon Pitney, Repub NEW JERSEY'S JUDICIARY.

CHANGES ADOPTED BY THE CON-STITUTIONAL COMMISSION.

Lay Judges of the Court of Errors and Appenis Abolished-Proposed Court of Pardons - Simplifying the Procedure. TRENTON, N. J., Sept. 21.-The Constitutional Commission finished to-day its work of revising the Constitution so far as it relates to the Judi ciary system, and, on Tuesday next, it will me here and present to the Governor its report The following week the report will be transmit ted to the Legislature at the adjourned session but it is unlikely that any action will be taken by the Legislature before next winter. When the Commission was appointed it was intended to have the amendments considered at the Octo-ber meeting, and, if adopted, go before the next Legislature; but it has been found that the pro-posed amendments must be advertised three months before the members of the ratifying Legislature are chosen.

One of the chief objects sought by the adve entes of the Commission was the election of the Judges of the courts by popular vote, the aboli-tion of the system of lay Judges in the county ourts, and a reduction of the expenses of the Judiciary system of the State.

The only one of these adopted by the Comm. sion was the abolition of the lay Judges of the Court of Errors and Appeals. At to-day's sestion Judge Carrow of Camden made another at tempt to secure the abolition of the lay Judges of the county courts by Constitutional provision but his proposition was defeated by a vote of 8 to 7, several of the lawyers voting with the lay members of the Commission against it. The deliberations of the Commission have been controlled by the lawyer members, who comprised at least one-half of the Commission, while the laymen have been either incompetent for the work, or too modest to take an active

while the laymen have been either incompetent for the work, or too modest to take an active part.

The amendments reported by the Commission provide that the Board of Pardons shall consist of the Governor, the Chancellor, and the Attorney-General, a majority of which, the Governor being one, may remit fines or forfeitures and grant pardons in all cases except impeachment. The court now consists of the Governor, Chancellor, and six lay Judges of the Court of Errors and Appeals.

A new Court of Errors and Appeals is created, to consist of a Chief Justice and four associates. In case any of them shall be disqualified for the time being from serving, a Supreme Court Justice shall be designated by the Governor to serve until the disqualification shall cease. All causes are to be decided by this court within sixty days after the close of argininent, unless the Court shall extend the time, not exceeding sixty days more. If not then decided, the case is to have precedence on the list at the succeeding term. No change is made in the Court of Chancery, which is to consist of a Chancellor and two or more Vice-Chancellors to be appainted by the Chancellor. There are to be four Vice-Chancellors until the number is changed by law.

There was something of a popular demand for

Vice-Chancellors until the number is changed by law.

There was something of a popular demand for the abolition of the Chancery Court, but the lawyers protested that, with them, it was the most popular court in the State. The Supreme Court is to consist of nine Justices, which may be increased by law. It is to be arranged by the Justices into three or more divisions of not less than two nor more than four in each division. The sessions of one division shall be held in Trenton. The present Justices are to serve until the expiration of their terms. Circuit Courts are to be held in each county by one or more Supreme Court Justices, who have common law jurisdiction concurrent with the Supreme Court, except in criminal cases.

Supreme Court Justices, who have common law jurisdiction concurrent with the Supreme Court, except in criminal cases.

"Every Justice of the Court of Errors and Appeals, the Chancellor, Justice of the Supreme Court, and Vice-Chancellors shall be, at the time of his appointment, not less than thirty years old, learned in the law, and shall have been a citizen and resident of this State for at least ten years before such appointment." All are to be appointed by the Governor except the Vice-Chancellor, and all for seven-year terms. Judges of the Inferior county courts are to be appointed by the Governor for five-year terms. The new Justices of the Court of Errors and Appeals first appointed are to serve, one for three years, two for five years, and two for seven years. The paragraph providing for the election of Justices of the Peace was stricken from the Constitution, and these officials will be turned over to Legislative control.

There are a number of other provisions regulating and simplifying the procedure in the higher courts, among them one providing, for the removal of final judgments in the Circuit Courts and Common Pleas Courts directly to the Court of Errors and Appeals on writs of error.

G. G. Clubs and the Citizens' Triple Alliance

Signify Their Amity. The members of the Committee of Seventy, or rather those of its Executive Committee who are running its affairs, excepting in the one particular of supplying the funds for its campaign, were mightily pleased yesterday. Their claims of right to run the anti-Tammany campaign had been recognized by two of the organizations which have been busy enlisting warriors in the

The Citizens' Alliance, in its imposing entirety ex-Senator John G. Boyd, Henry Nichols, and dolph Luhr-marched into the Chamber of Mr. Smith and his colleagues yesterday afternoon and pledged their hearty cooperation. They also suggested that they would like to con-

They also suggested that they would like to confer with Mr. Smith regarding the choice of the right men for the ticket.

Following the Citizens' Alliance came Fulton McMahon, Prebie Tucker, Isaac H. Klein, J. L. Eustis, and M. D. Rothschild as a sub-committee from the County Convention of Good Government clubs to say that they wish to defer to Mr. Smith and his friends and let them run things, so long as they run them on the lines of the Good Government club platform.

Both these delegations called in response to this letter, which Mr. Charles Stewart Smith sent out on Thursday after the passage of the resolution directing the anti-Tammany County Conventions to appoint conferences and not to nominate anybody until their conferese had seen him:

nominate any body until their conferees had seen him:

Gentlemen: beg your reference to a copy of the resolutions adopted this day by the Executive Committee of the Committee of Seventy, which I am directed by that body to forward to you. I venture to express the hope that you will agree with our committee that the adoption of the suggestions in the enclosure above reduced to the suggestion from the hame and misrule that have been so long imposed upon it by the Tammany organization.

Delegations from the thirteen remaining antifammany organizations are expected to respond to the letter of Mr. Smith heat Monday, to which day the committee adjourned. It was announced as the intention of the committee to hold sessions every day in the week, but as many of the members are interested in running the affairs of suburban communities, as well as trying to run those of New York. Saturday and Sunday will be devoted to that purpose by them. The other five days of the week they will spend in hunting the tiger.

It was said yesterday that Mr. Smith's committee may consent to move into quarters on the corner of froadway and Duane street.

mittee may consent to move into quarters on the corner of Broadway and Duane street, MAURICE J. POWER IN SARATOGA. The State Democracy to Demand Recognit. tion in the Convention.

SARATOGA, Sept. 21, -One of the king pin anti-snappers of New York county arrived at the Grand Union to-night. He is Shipping Com-missioner and ex-Judge Maurice J. Power, the former leader of the County Democracy, the personal friend of ex-Mayor William R. Grace, and an admirer of President Cleveland. Mr. Grace and Mr. Whitney have not been particularly friendly since the Presidential campaign of Ex-Secretary Charles S. Fairchild, the frien

of Mr. Cleveland, Mr. Grace, Mr. Whitney, and of Mr. Cleveland, Mr. Grace, Mr. Whitney, and Mr. Lamont, will be here to-morrow, and so will Edward M. Shepard and his group of friends from Brooklyn. It has been said that Mr. Shepard would like to be the candidate of the Convention for Judge of the Court of Appeals. Mr. Separd's friends deny this and declare that they are only for the good of the party. Judge Power and the State Democracy of New York county will demand recognition in the Convention and on the State Committee. The Democratic leaders of all factions say that this is to be a lively Convention, and that the rubbish circulated by the Republicans to the effect that this is to be an ante-morror affair is preposterous, and will be so demonstrated.

Ex-Mayor Gleason Again in the Field.

Ex-Mayor Patrick J. Gleason of Long Island Mty is again in the field with his party, and, in onsequence, there will be no lack of interesting scidents in the coming campaign in that town incidents in the coming campaign in that town and Queens county. There was a big turnout at his primaries, which were held on Thursday night. The ex-boas's ticket won with but little opposition, and he is now in training to give his political opponents a hustle. His Assembly and County Conventions will be held at the old head-quarters of his party in 112 Front street to-day. Committees on harmony will probably be appointed, although the ex-boss asserts his intention of running a complete ticket as usual. Delegates will also be sent to the State Convention, headed by Mr. Glesson himself. As he has always been known as an uncompromising Hill mass, the met known as an uncompromising Hill would as an all ways been known to say how his debasation will vougit assessed to the Convention.

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CHARGES AGAINST JUDGE HAIGHT.

Why the People's Candidate for Governor

BUFFALO, Sept. 21.-It is not by mere coincience that the two candidates nominated from Buffale for State offices are Charles P. Matthews and Judge Albert Haight. Mr. Matthews is the candidate of the People's party for Governor. When he took the nomination he felt that all the indications pointed to the nomination of Judge Haight for Judge of the Court of Appeals. Otherwise he might not have accepted the nomnation. Mr. Matthews is a successful business man, at present manager of the Buffalo Refin ing Company. He has the reputation of being a hard fighter, and as the candidate of the Pecple's party he is going to stump the State against Judge Haight. The reason of it is found in the

The facts which Mr. Matthews will relate to he gatherings of his party from now until election day constitute a strong argument against the election of Judge Haight to the Court of Appeals. The newspapers of his own party arraigned the Judge for his conduct at the time and his friends meet the facts silently.

Judge Haight held the session of the Court of Oyer and Terminer which tried the Standard Oil conspirators, who were charged with deliberately planning the destruction of the works of its only rival in western New York. The men were brought to trial in May, 1887, although they had been indicted more than a year before. This delay had been accomplished through the influences of the great corporation. District Atcase, but no Judge could be found to sit for the attorneys for some of the complainants years before, and were therefore disbarred from sitting. It looked as if the indictments would President of the Buffalo Lubricating Oil Comby fire, announced that he would make applica-

by fire, announced that he would make application to the Governor to designate a Judge to try the cases. Judge Haight immediately found time to hear it. Mr. Matthews, for certain reasons, did not want the cases to be tried before Judge Haight, but he consented, and the cases were brought to trial.

The indictments were against Hiram B. Everest and Charles M. Everest of Rochester, managers of the Vacuum Oil Company, a dependency of the Standard, and Henry H. Rogers, John D. Archbold, and Ambrose McGregor, directly identified with the Standard Company. They were charged with conspiracy to injure trade and commerce. They were accused of bringing against their rival actions which were unfounded in merit, with the intention of injuring its credit; of inducing Lane Burrell to obtain and betray the company's business secrets, and !e entice away its skilled workmen, particularly Albert A. Miller, without whom the new plant in course of construction could not be completed, and of bribing the employees to so construct the plant that it would destroy itself while in operation and ruin the material and product of manufacture.

be completed, and of bribing the employees to so construct the plant that it would destroy itself while in operation and ruin the material and product of manufacture.

The indicted men were tried on these charges. The evidence was conclusive. A lawyer who had been consulted by the Everests testified that he had been told to look up the punishment that could be imposed on Miller if it could be discovered that he had caused the plant to be so constructed that it would explode. The evidence was clear that the works had been so constructed that when the first run of oil was made it blew up. The safety valve had been packed with plaster of Paris so that there would be no warning of the danger, and the first had been made so hot by the men secretly in the employ of the Standard that the crude petroleum generated dangerous gases, which helped to create explosions.

The trial of the case occupied ten days. The distance and of the Court to discarce a the design. ial of the case occupied ten days. The

dangerous gases, which helped to create explosions. The trial of the case occupied ten days. The defence asked the Court to discharge three of the defendants. Archbold, Rogers, and McGregor, and Judge Halght ordered them acquitted. This was such a surprise to the District Attorney that Mr. Quinby sprang up excitedly and cried:

"The Court had better order the discharge of the rest of these defendants and impeach the District Attorney."

The jury returned a verdict finding the Everests guilty as charged in the indictment. It was generally expected that they would be sonteneed to pay heavy fines and to serve a term of imprisonment as well. Judge Haight fined each of them \$250 after the General Term of the Supreme Court had confirmed the conviction. His only excuse was that a dozen prominent citizens, most of whom happened to be associated with the Standard Oil Company or its interests, had signed a petition for lenlency. The press of his own party bitterly criticised the Court for his action.

Moreover, when the ruined company went into the hands of a receiver, Judge Haight authorized the receiver to sell the plant to the Standard Oil Company for \$80,000, although all the stockholders in the defunct company personally asked bim not to make the order.

Mr. Matthews proposes to make his grievance known to the voters of the State, and, anticipating the nomination of the People's party. He will throw his influence to the support of any candidate calculated to defeat Judge Haight, and he predicts his defeat unless the Republicans should carry the State by a tremendous majority. Matthews is a good speaker and an active campaigner, and he promises to make a lively campaign against Judge Haight.

DEMAND RECOGNITION. Colored Republicans Call for that Addi-

tional Committeeman. The colored brethren are wondering what Brer Platt means by sitting down on their resolution calling for the appointment of an additional committeeman to the State Committee. They have got so that they won't mind in the

least asking him what he means to do. Since

1885 there has been an additional committee

man, who always was a colored brother. Why not this year? it is asked.

Colored Republican politicians met and consulted over a resolution offered by Lawyer Jacob H. Simms of this city. Mr. Simms said he did not want the place. The Rev. J. R. B. Smith of this city rather fancied it. To him it seemed as if he was made for the place and the place for him. C. M. Bernay of Brooklyn, the present incumbent, said he would like very much to be continued. He had got to like the office.

After a dozen ballots John H. Dayo, a colored barber employed on the People's line of steamers, was selected. A committee of three was instructed to see that a resolution calling for the appointment of an additional committeeman was passed. Such a resolution was handed in. All the colored brethren went up into the gallery to wait until the resolutions with its approval. It did not come.

The colored brethren marched out very sad indeed. They said fiver Plats had cheated them, and also remarked that Mr. Plats had Morton nominated, but not elected. How was he going to do it without the help of the colored brethren? The additional delegate ladies out the cash to the colored folks.

It is the custom for the State Committee to appoint the additional member, so perhaps these malcontents will be appeared. this city rather fancied it. To him it seemed a

A dispossess proceeding was brought in the Eighth District Civil Court yesterday against the Milholland organization of the Fifteenth district, whose club house is at 545 Eighth avenue. William Horsefield, the landlord, said that the organization never paid its rent of \$40 a month until he sued for it, and that he was weary of suing. Justice Stiner gave the "Regular Republican Organization" until Tuesday to make its peace with Mr. Horsefield.

Tom Reed to Speak for Morton, Thomas Brackett Reed is to open the cam-naign for Morton and Saxton in this city. Mr. Roed has agreed to speak, but the date is not find. MAY SEINE FROST FISH.

Good Cheer for Guides and Farmers in the Adtrondack Mexico.

The coming winter will be a happier one than has been seen for many a year at the firesides of guides in the Adirondacks and of thousands of farmers living along the Fulton chain of lakes and Saranac and other lakes. It will not be necessary to fill up the old pork barrel or hang the smokehouse full of hams for the family

table in the long northern winter. For it will be permitted to any one for the first time to drag seines in these lakes for frost fish—and the waters are fairly boiling with them, paradoxical as this may seem. They will give a variety to the backwoods menu not heretofore ermitted by law. Furthermore, they may be sold, and this will be a bonanza in these hard times among the pines and hemlocks.

The frost fish is a species of whitefish, similar to but smaller than the whitefish for which Lake Ontario has been noted for many years, When mature it weighs from half a pound to a pound, and it makes every whit as delicious a pan fish as its Lake Ontario cousin. To the people within ten or a dozen miles d

nearly all the Adirondack lakes the frost fish will fill a want, supplied in other parts of the State by the Hudson River herring or ciscoes. They can be either salted or pickled and laid down in barrels for future use. Fish sharps say The history of the domesticated frost fish in New York State Fish Commission and the State Legislature determined several years ago to

New York State Fish Commission and the State Legislature determined several years ago to protect the lake trout from seiners, who would soon have exterminated them by their pot hunting. Anglers only, they said, should kill the trout. So solicitous for the trout were the law-makers that they not only passed laws prohibiting seining, but decided to encourage the trout by feeding them,

Wherefore between 5.000.000 and 6.000.000 frost fish fry were caretuily propagated every year at Sacandaga or Calcionia hatcheries, trundled to the lakes in big cans, like milk cans, and dumped into the free water. It was all at considerable expense, but the authorities, perhaps, builded wiser than they linew. They were unwittingly planning to feed men rather than game fish.

The result of the experiment has surprised the fish sharps. Perhaps it was because the frost fish turned a cold shoulder on the logy lake trout and refused to enter the latter a midst; perhaps it was because the lake trout were cannibals and preferred their own smooth-skinned fry to the cold and scaly frost fish; or, perhaps they concluded to lie down together outside of each other. Certain it is that there are a thousand frost fish in every one of the lakes to one trout. They are big and plump and saucy, and they stick their heads out of the water and wag their fins and dare the fishermen to take them with rod and line.

Just here lies the tantalizing point. Frost fish are too wary to take worm or fiy or any of wicked man's lures. Even with the net it's no easy job to get a mess of them: in fact, it's no easy job to get a mess of them: in fact, it's no easy job to get a mess of them: in fact, it's no easy job to get a mess of them: in fact, it's no easy job to get a mess of them: in fact, it's no easy job to get a mess of them: in fact, it's no easy job to get a mess of them in fact, it's no easy job to get a mess of them; in fact, it's no easy job to get a mess of them; in fact, it's no easy job to get a mess of them; in fact, it's no easy job to get a mess

decimation.
The State Fish Commissioners recently issued The State Fish Commissioners recently issued an order permitting any one, on making application to them, to cast seines, or to use dip nets, for frost fish only, from Nov. 1 to Dec. 15. The seines or nets must be of the legal mesh. Those who use nets or seines without obtaining a written formal permission, the Commissioners say, will be arrested by the inspectors and fined or sent to fail

say, will be arrested by the inspectors and fined or sent to jail.

Many permits have already been issued, but it is expected. President Huntington of the State Board says, that in October Secretary Doyle will have an extra clerk replying to applications. A 13-YEAR-OLD BOY'S CRIMES. He Confesses to Theft and Procuring Money

POUGHKEEPSIE, Sept. 21 .- Recorder Morschauser to-day sent to the Elmira Reformatory Thomas Cassidy, who Is only 13 years of age, Last evening Cassidy went to the home of Mr. William A. Adriance, a wealthy manufacturer, and presented a note signed with the name of H. Erett, requesting Mr. Adriance to send him by bearer \$5.25, which he said he would pay

by bearer \$5.25, which he said he would pay back on Saturday night when his father gave him some money. The request was so unusual that Mr. Adriance made an investigation, which resulted in the boy's arrest. When interrogated Cassidy said that the note had been given him by a man named Tom Anderson. No such person could be found.

This morning the boy confessed to having stolen a silver watch from Fred Cornish, \$5.25 in money from Harry Becker, a number of small articles from a dry goods store where he had been employed, and from several stores on Main street articles of various kinds, which he represented he had been sent for by responsible persons. He also acknowledged the systematic theft of money from milk pails and of stealing a suit of clothes from Ernest Corcoran, who boarded with his parents, and a watch from his father, which he pawned in Newburgh. He wound up with the statement that he had once, at least, secured money by false pretences.

Murder in the Second Degree.

UTICA, Sept. 21.-After deliberating eight hours the jury in the trial of Edgar L. Tracy at Norwich, for the murder of his aunt, Mrs. Mary M. Tracy, rendered a verdict late to-night of murder in the second degree. He will be sen-tenced on Tuesday.

SPARKS FROM THE TELEGRAPH. Mrs. George Dwight, aged 50 years was instantly killed on the New York Central Railroad near Fort Plain, yesterday. She had been attending a funeral, and was walking on the track with two friends when she stepped in front of a light engine.

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